

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>V.</b>	)	<b>CR. No.: 2:07cr77-WHA</b>
	)	
<b>COURTNEY COLVIN</b>	)	

**UNOPPOSED MOTION TO CONTINUE SENTENCING**

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**COMES NOW** the Defendant, Courtney Colvin, by and through undersigned counsel, Kevin L. Butler, and moves for good cause and pursuant to Fed. R. Crim. P. 32(a) for an order continuing sentencing. In support of this motion, the Defendant would show the following:

1. Mr. Colvin has entered a plea of guilty to the Indictment filed in this case.
2. This matter is presently set for sentencing on January 10, 2008.
3. Based upon contested factual assertions, the United States Probation office is recommending Mr. Colvin receive over 30 years in custody. The defense has filed multiple objections to this recommendation.
4. Mr. Colvin is cooperating with law enforcement officials in their investigation of a multiple homicide outside of the Middle District of Alabama. His cooperation will not be completed on or before January 10, 2008.
5. As this Court will need to review the full extent of Mr. Colvin's cooperation in determining the reasonable sentence pursuant to 18 U.S.C. § 3553, it is in the interest of justice to grant Mr. Colvin additional time to complete the assistance he is providing the government. Therefore, there is good cause to continue sentencing. See Fed. R. Crim P. 32(a).

6. Additionally, the defense and the government are negotiating in good faith in an attempt to resolve multiple defense objections to the United States Probation Office's PSI. It is not anticipated these negotiations will be completed prior to the presently scheduled trial date based upon the fact additional fact investigation may be necessary to resolve the contested sentencing issues. This is also good cause to continue sentencing. See Fed. R. Crim P. 32(a).
7. Furthermore, if Mr. Colvin's cooperation and the sentencing negotiations are fruitful, the sentencing hearing will be expedited.
8. The United States, through the Assistant United States Attorney, Verne Speirs, has no opposition to this requested continuance.

**WHEREFORE**, the Defendant prays that sentencing in this matter be continued from the January 10, 2008 date.

Respectfully submitted,

s/ Kevin L. Butler  
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**CERTIFICATE OF SERVICE**

I hereby certify that on January 3, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Verne Speirs, Esquire  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104

Respectfully submitted,

s/ Kevin L. Butler  
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